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APR 26 2005

TO: United States Patent and Trademark Office
Art Unit 1755
Attn: Examiner Karl Group

FACSIMILE NUMBER: 703-872-9306

FROM: Stephen T Belsheim

DATE: April 26, 2005

RE: In re Application of Yeckley
Serial No. 10/679,924
Filed: October 6, 2003
For: SiAlON CONTAINING YTTERBIUM AND METHOD OF
MAKING

PAGES (including transmittal page): 39

COMMENTS:

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Practitioner's Docket No. K-1688C**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Yeckley

Application No.: 10 / 679,924 Group No.: 1755

Filed: October 6, 2003 Examiner: Karl Group

For: SIALON Containing

Ytterbium and
Method of Making**RESPONSE UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP****Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

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AMENDMENT OR RESPONSE AFTER FINAL REJECTION—TRANSMITTAL

1. Transmitted herewith is an amendment after final rejection (37 C.F.R. § 1.116) for this application.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

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☐ deposited with the United States Postal Service in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

37 C.F.R. § 1.8(a)☐ with sufficient postage as first class mail.**37 C.F.R. § 1.10 ***☐ as "Express Mail Post Office to Addressee"

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TRANSMISSION☒ facsimile transmitted to the Patent and Trademark Office, (703) 872 - 9306

Signature

Date: April 26, 2005Stephen T. Belsheim

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(Amendment or Response After Final Rejection—Transmittal [9-20]—page 1 of 4)

NOTE: *Response to Final Rejection—Avoiding Extension Fees* "In patent applications wherein a three month Shortened Statutory Period (SSP) is set for response to a Final Rejection, the response would best be filed within two months of the date of the Office Action. If filed within two months, any Advisory Action mailed after the SSP expires will reset the SSP to expire on the date of the Advisory Action for extension fee purposes, but never more than six months from the date of the Final Rejection." Notice of Nov. 30, 1990 (1122 O.G. 571 to 591). See M.P.E.P. § 714.13, 6th ed., rev. 3.

STATUS

2. Applicant is

- ☐ a small entity. A statement:
- ☐ is attached.
- ☐ was already filed.
- ☒ other than a small entity.

EXTENSION OF TERM

NOTE: As to a Supplemental Amendment filed in response to a final office action, the Notice of December 10, 1985 (1061 O.G. 34-35) states:

"If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run."

3. (complete (a) or (b), as applicable)

- (a) ☒ Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. § 1.17(a)(1)-(4)) for the total number of months checked below:

| Extension (months) | Fee for other than small entity | Fee for small entity |
|--|------------------------------------|-------------------------|
| <input type="checkbox"/> one month | \$ 120.00 | \$ 60.00 |
| <input checked="" type="checkbox"/> two months | \$ 450.00 | \$ 225.00 |
| <input type="checkbox"/> three months | \$ 1,020.00 | \$ 510.00 |
| <input type="checkbox"/> four months | \$ 1,590.00 | \$ 795.00 |

Fee: \$ 450.00

If additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$_____

OR

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

(Amendment or Response After Final Rejection—Transmittal [9-20]—page 2 of 4)

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

| (Col. 1) | | (Col. 2) | (Col. 3) | SMALL ENTITY | | OTHER THAN A SMALL ENTITY | |
|--|-----------|---------------------------------------|------------------|--------------|---------------|------------------------------|---------------|
| CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE | ADDIT. FEE | OR | ADDIT. FEE |
| TOTAL * | MINUS ** | - | - | ×\$25 = | \$ | | ×\$50 = \$ |
| INDEP. * | MINUS *** | - | - | ×\$100 = | \$ | | ×\$200 = \$ |
| <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | + \$180 = | \$ | | + \$360 = \$ |
| | | | | | TOTAL \$ | OR | TOTAL \$ |
| | | | | | ADDIT. FEE \$ | | |

* If the entry in Col. 1 is less than entry in Col. 2, write "0" in Col. 3.

** If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20."

*** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3."

The "Highest No. Previously Paid For" (Total or indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

WARNING: See 37 C.F.R. § 1.116.

(complete (c) or (d), as applicable)

(c) ☒ No additional fee is required.

(d) ☒ Terminal Disclaimer Fee (37 CFR 1.20(d)) is \$130.00

FEE PAYMENT

5. ☐ Attached is a ☐ check ☐ money order in the amount of \$ _____

☒ Authorization is hereby made to charge the amount of \$ 580.00

☒ to Deposit Account No. 02-2267

☐ to Credit card as shown on the attached credit card information authorization form PTO-2038.

WARNING: Credit card information should not be included on this form as it may become public.

☒ Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

☒ A duplicate of this paper is attached.

(Amendment or Response After Final Rejection—Transmittal [9-20]—page 3 of 4)

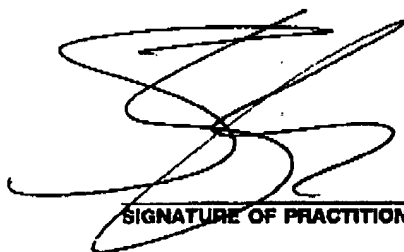
FEE DEFICIENCY

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AND/OR

- ☒ If any additional fee for claims is required, charge Account No. 02-2267



SIGNATURE OF PRACTITIONER

Stephen T. Belsheim
(type or print name of practitioner)

Reg. No.: 28,688

Tel. No.: (615) 662-0100

Customer No.: 1400

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P.O. Address

Nashville, TN 37221

(Amendment or Response After Final Rejection—Transmittal [8-20]—page 4 of 4)

(Re) 102-305 Pub. 605

FORM 9-20

9-147

Practitioner's Docket No. K-1688C**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Filed: October 6, 2003 Examiner: Karl Group

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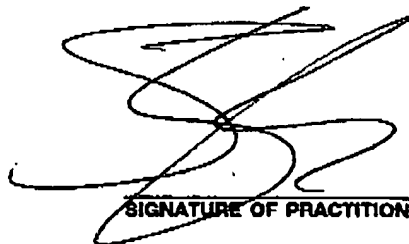
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(Amendment or Response After Final Rejection—Transmittal [9-20]—page 4 of 4)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of: Yeckley)
Serial No. 10/679,924) GROUP ART UNIT 1755
Filed: October 6, 2003) Examiner: Karl Group
For: SIAION Containing Ytterbium)
And Method of Making)

CERTIFICATE OF TRANSMISSION

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Date: APRIL 26, 2005Signature: Name of Person Certifying: Stephen T Belshelm

April 26, 2005

Mail Stop AF
Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

RESPONSE TO FINAL OFFICE ACTION OF NOVEMBER 26, 2004**INTRODUCTORY COMMENTS**

This Response is responsive to the pending FINAL Office Action mailed November 26, 2004. The accompanying Amendment Transmittal sets forth the request (if needed) and the manner of payment.